

# Victim Compensation Quick Reference Guide

Who is Eligible Applicants may be eligible for more than one benefit	Description of Benefits	Benefit Limits
<b>Victim</b> [Other than minor victims of P.C. 261.5(d)]  <b>Note:</b> The person who is physically injured or threatened with physical injury due to a crime or act of terrorism. Children who witness domestic violence or reside in a home where domestic violence occurs are considered direct victims.	Medical/medically related. Includes, but is not limited to: <ul style="list-style-type: none"> <li>• Doctor services, hospital, surgery, prescriptions,</li> <li>• Eyeglasses, hearing aids, dentures, or prosthetic devices taken, lost or destroyed by the crime, or became necessary due to the crime,</li> <li>• Ambulance, dental, chiropractic, etc. <i>GC § 13957(a)(1)</i></li> </ul>	\$70,000 or \$46,000 (see * below to determine maximum amount available for claim)
	Inpatient mental health treatment (for applications received on or after 1-1-03, must be necessary due to dire or exceptional circumstances) <i>GC § 13957(a)(2)(C)</i>	
	Income loss (2, 3, or 5 years depending on crime date, or date application is submitted. No time limit if disabled according to federal definition.) <i>GC § 13957.5(a)(1)</i>	
	Job retraining or similar employment-oriented services <i>GC § 13957(a)(5)</i>	
	Home and/or vehicle renovation or retrofitting (when permanently disabled – partially or totally) <i>GC § 13957(a)(7)</i>	
	Outpatient mental health <i>GC § 13957(a)(2)(A)(i)</i>	40 sessions (for minor victims), or 30 sessions (for adult victims) **
	Relocation <i>GC § 13957(a)(8)</i>	\$2,000 (per household)
	Home security installation or improvement when crime occurred in victim's residence <i>GC § 13957(a)(6)</i>	\$1,000
Victim of unlawful sexual intercourse [P.C. 261.5(d)]	Outpatient mental health <i>GC § 13957(a)(2)(B)(ii)</i> <b>Note:</b> No other benefits for victims; no benefits for derivative victims when crime is P.C. 261.5(d). Victims/derivative victims of other subsections of P.C. 261.5 may be eligible for full benefits.	30 sessions **
Anyone who pays or assumes legal liability for a <b>deceased</b> victim's expenses	Medical (see above for description) <i>GC § 13957(a)(9)(A)</i>	\$70,000, or \$46,000 *
	Funeral and/or burial <i>GC § 13957(a)(9)(C)</i>	Generally \$5,000, but may be increased to \$7,500 with VCP DEO approval
	Crime scene cleanup (for homicides that occurred in a residence) <i>GC § 13957(a)(9)(B)</i>	\$1,000
Parent or legal guardian of minor victim who is in hospital or dies as a result of the crime	Income loss for up to 30 days <i>GC §§ 13957.5(a)(2) &amp; (3)</i>	\$70,000 (effective for crimes on or after 1-1-01, or applications submitted on or after 1-1-03)
Eligible family member or other person who was legally dependent on the victim	Support loss when: <ul style="list-style-type: none"> <li>• Victim is disabled and has exhausted his or her income loss, or</li> <li>• Victim is deceased</li> </ul> <b>Note:</b> Total support loss to all derivative victims due to one crime cannot exceed \$70,000 (or \$46,000). <i>GC §§ 13957.5(a)(4) &amp; 13957.5 (b)</i>	\$70,000 or \$46,000 *

\* For applications submitted prior to 1-1-03, and with crime dates prior to 1-1-01, the claim maximum is \$46,000. For applications submitted prior to 1-1-03, and with crime dates on or after 1-1-01, the claim maximum is \$70,000. For applications submitted on or after 1-1-03, regardless of the crime date, the claim maximum is \$70,000. Certain individual benefits have individual limits as noted above and are included in the maximum benefit amount.

\*\* Additional mental health sessions may be available in certain circumstances. Statutory dollar limits of \$10,000 or \$3,000, depending on the type of claimant, will apply.

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Parent, sibling, spouse, or child of victim at time of crime;  or Fiancé (fiancée) of victim at time of crime who witnessed the crime	Outpatient mental health  <i>GC §§ 13957(a)(2)(A)(ii) &amp; 13957(a)(2)(B)(i)</i>	30 sessions (if victim deceased) or 15 sessions (if victim surviving) **
Person in specified relationship with minor victim at time of crime and who is primary caretaker when treatment is rendered	Outpatient mental health  <i>GC § 13957(a)(2)(A)(iii)</i>	15 sessions (each, for up to 2 primary caretakers) ***
Grandparent, grandchild of victim at time of crime, person living with victim at time of crime, or had previously lived with victim for at least 2 years in relationship similar to parent, grandparent, spouse, sibling, child, or grandchild of victim	Outpatient mental health  <i>GC § 13957(a)(2)(B)(i)</i>	15 sessions **
Person who did not have specified relationship with victim prior to crime but becomes primary caretaker after the crime	Outpatient mental health (treatment must be necessary for the treatment of the victim) <i>GC § 13957(a)(2)(B)(i)</i>	
Other family member of the victim at the time of the crime who witnessed the crime	Outpatient mental health <i>GC § 13957(a)(2)(B)(i)</i>	
Eligible derivative victim (described above)	Inpatient mental health (when necessary due to dire or exceptional circumstances) <i>GC § 13957(a)(2)(C)</i>	\$70,000 (effective for applications submitted on or after 1-1-03)
Non-USA resident family member of victim when crime occurred in California	Outpatient mental health <i>GC § 13955.5(a)</i>	15 sessions **

## General Eligibility Requirements

The direct victim must have been a California resident when the crime occurred, or the crime must have occurred in California. Whether or not other applicants must be a California resident is dependent on date of crime, or date application is submitted.

### The direct victim and/or applicant must:

- ❖ Cooperate reasonably with police and court officials to arrest and prosecute the offender *[GC § 13956(b)]*
- ❖ Cooperate with VCP staff and its representatives to verify the application *[GC § 13954(b)]*
- ❖ Not have been involved in events leading to the crime or have participated in the crime *[GC §§ 13956(a) & 13956(c)]*
- ❖ File the application within one year of the crime, one year after the direct victim turns 18 years of age, or one year from when the crime could have been discovered, whichever is later. Additional time may be granted in certain circumstances. *[GC § 13953]*
- ❖ Submit claimed expenses to other available reimbursement sources such as health insurance or Medi-Cal prior to VCP payment *[GC § 13951(e)]*

### Emergency Awards *[GC § 13952.5]*

An Emergency Award (defined as an advance) may be requested for reimbursement of any eligible expense if the Board determines that such an award is necessary to avoid or mitigate substantial hardship that may result from delaying compensation until the application is fully verified and processed. The amount of the Emergency Award will be dependent upon the immediate needs of the applicant.

\*\*\* Additional mental health sessions may be available in certain circumstances for no more than 2 primary caretakers. Statutory dollar limit of \$10,000 (shared by no more than 2 primary caretakers) will apply.